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\*Application for admission *pro hac vice* to  
be submitted

*Attorneys for Plaintiffs Charles P. Haggarty,  
Gina M. Haggarty and all other similarly situated*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

CHARLES P. HAGGARTY and GINA M.  
HAGGARTY, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,  
Defendants.

Case No.: 3:10-cv-02416-CRB

**JOINT STIPULATION AND [REDACTED] ORDER  
CONCERNING CHANGES TO BRIEFING  
SCHEDULE FOR DEFENDANT'S *DAUBERT*  
MOTION AND CONCERNING CHANGES TO  
EXPERT WITNESS DEADLINES**

Judge Assigned: Honorable Charles R. Breyer  
First Amended Complaint Filed: 11/5/2010

Pursuant to Civil L. R. 7-12, Plaintiffs CHARLES P. HAGGARTY and GINA M. HAGGARTY, and Defendant WELLS FARGO BANK, N.A., having met and conferred through their counsel of record, submit this Joint Stipulation and Proposed Order Concerning Changes to Briefing Schedule for Defendant's *Daubert* Motion and Concerning Changes to Expert Witness Deadlines.

### RECITAL

WHEREAS, the following dates are currently scheduled in this matter:

1. Trial Date: December 3, 2012
2. Pre-Trial Conference: November 27, 2012
3. Hearing on Motion for Class Certification: October 12, 2012
4. Hearing on *Daubert* Motion: October 12, 2012
6. Initial Expert Disclosures: September 14, 2012
7. Rebuttal Expert Disclosures: September 28, 2012
8. Expert Discovery Cutoff: October 12, 2012

WHEREAS, the parties are currently in the process of working out discovery disputes and have agreed that it is in the parties' best interests and the interests of judicial economy to extend the briefing schedule deadlines for Defendant's *Daubert* Motion relating to class certification and to extend the expert witness deadlines in this matter.

### STIPULATION

THEREFORE, the Parties stipulate and propose the following dates and deadlines regarding Defendant's *Daubert* Motion and expert witness deadlines. The Parties do not believe this modification of the existing schedule will result in the need to change any of the existing hearing dates, including the motion for class certification and the trial date.

#### **A. Parties' Proposed Changes To Briefing Schedule for Defendant's *Daubert* Motion**

	<u>Present Date</u>	<u>Proposed Date</u>
1. Plaintiffs' Opposition:	September 7, 2012	September 14, 2012
2. Defendant's Reply:	September 14, 2012	September 21, 2012

**B. Parties' Proposed Changes To Expert Witness Deadlines**

	<u>Present Date</u>	<u>Proposed Date</u>
1. Initial Expert Disclosures: At the time of disclosure, the disclosing party will provide 3 dates between Sept. 28-Oct. 12, 2012 that the disclosed expert is available for deposition.	September 14, 2012	September 28, 2012
2. Rebuttal Expert Disclosures: At the time of disclosure, the disclosing party will provide 3 dates between Oct. 12-Oct. 26, 2012 that the disclosed expert is available for deposition.	September 28, 2012	October 12, 2012
3. Expert Discovery Cutoff:	October 12, 2012	October 26, 2012

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Respectfully submitted

Dated: September 10, 2012

McCUNE WRIGHT, LLP

By: /s/ Richard D. McCune

Richard D. McCune

Attorney for Plaintiffs

Charles P. Haggarty and Gina M. Haggarty.

Dated: September 10, 2012

REED SMITH, LLP

By: /s/ Yaw-Jiun (Gene) Wu (with permission)

Yaw-Jiun (Gene) Wu

Attorneys for Defendant Wells Fargo Bank, N.A.

[I attest that the e-signature of Yaw-Jiun (Gene) Wu on behalf of Defendant was added with authorization conveyed by email from Mr. Wu and Defendant's Counsel and Defendant concur in this filing's content and have authorized this filing]

/s/ Richard D. McCune

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

DATE: September 11, 2012

